G. R. S. 58]

Previous references.

Revenue Del. 27/5/24

Police 69-13 & 1

File No. 69-13

1913-14-

(Police Courts)

Serial Nos. 2-7

Later references.

Govt. of India notification no 159-J.T. 8/26.7.1879

Govt of India notification no 178-JT 23.7.1874

Imperial Govt. notification no 124-24 dated 12.03

8/9.2.24

Govt. of India notification no. 160-J.T 8/26.7.1878

Ch 92-17(1+2)

Ch 235-15 dec 1919

Ch (82-18(1-2)

GENERAL AND REVENUE SECRETARIAT.

" 9-19(1-2)

Serial Nos. 2-7

Part B for Nov 1913

SUBJECT.

Justices of the Peace in Lunga.

Table of Contents

2. To Mr. Wallace & Mr. Pritchard. no P.A. 1767-8 8/1.9.13

Requests to be informed whether he has any objection to be recommended for being appointed as J.P.

3. From Mr. Wallace. Do. 8/1.9.13

States that he has no objection to the recommendation being made.

4. From Mr. Pritchard. Do. 8/3.9.13

States that he has no objection to the recommendation being made.

GPB—5,000—22-10-16

P.T.O.

5 To The 7 A. Resident Pd 289 dt 28.10.13

States with reference to d. no. 1 that there is no objection to the proposed appointment of Mr. Wallace as J.P. & suggests that Mr Pritchard also may, if there be no objection be recommended for appointment as a J.P.

6. From The 7 A. Resident no. 7234 dt 26.11.13

Forwards a copy of the notification issued by the Govt. of India appointing Messrs Wallace & Pritchard as J.P.s in Mysore.

7. To The Compiler, Mysore Gazette no. T 1583 dt 26.11.13

Forwards the notification for republication.

11-13

G.R.S. 11] 1913-14

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 67

FILE HEADING.

Justices of the Peace in Mysore.

From

No.	Dated	Received	
Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

GPB—30,000—12-8-11

Jmis 12 / 1913-14 d. 12.7.13

Courts Volume 69 of 1913-14

THE

Kolar Gold Fields News.

WEDNESDAY, MORNING, JULY 9, 1913.

Justices of the Peace in Mysore.

WHILE THE GOVERNMENT OF MYSORE are straining every nerve to make the State a Progressive or Model one and to keep pace with the more advanced countries in Europe or elsewhere or to imitate them in the march of education and civilization, there is a sort of relaxation in other matters towards better administration. In years past, and, for the matter of that, only a few years ago, there were a number of European Officers in the State, many of whom were Justices of the Peace. But now, although the "number has grown small and become beautifully less," whether for better or for worse, it is not for us to say, the complement of Justices of the Peace in a large State like Mysore with eight districts, has been reduced to almost a negligible quantity, owing to the absence of recruitment. Whether this is a wise policy in the administration of Criminal Justice where European British born subjects are concerned, will be answered in the negative. There are now but two *bona fide* Justices of the Peace in the whole of Mysore, *viz.*, Mr. Wetherall, of Hassan, and Mr. Bowring, of Kolar, both of whom are District Magistrates. It is needless to advance any reason or reasons that militate against expeditious justice or against the difficulties, annoyance, vexation, trouble and expense to both complainants and accused parties, more especially in the case of complainants, who, if of the "dumb million", by reason of their ignorance and poverty would prefer to pocket injustice, than run to justice to remote districts where there is a J. P.

There has always been, on the Kolar Gold Field, a Justice of the Peace, either in the Deputy Commissioner or the Special Magistrate, and sometimes two, in the Deputy Commissioner and the Special Magistrate. Now that Mr. Bowring, the Deputy Commissioner and District Magistrate, is likely to proceed on leave, the Field will be left without a Justice of the Peace! How is this difficulty to be overcome, considering that there are no other European officers available?" Such a contingency would place the Gold Field in a most anomalous position. The only way to surmount the difficulty would be to appoint Mr. Pritchard, the District Superintendent of Police, as Special Magistrate and Justice of the Peace. Mr Pritchard holds a unique position in the service. As a special officer he ranks with a third grade Deputy Commissioner in point of salary. He has qualified himself by examination to hold the office of a First Class Magistrate with all its powers, and his long experience in the judicial line is an additional argument. His appointment will, we feel certain, give entire satisfaction, for not only is he a safe man, but one like Cæsar's wife above suspicion, possessing all the requisite qualifications to dispense even-handed justice.

G.R.S. 13

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd to Lee

3. Kind attention is invited to the article in the Kolar Gold Fields News of July 9 on pas 4 of the Peace in Mysore. The Dewan will be obliged for a note on the question submitted through the P.S. to Commissioner.

14/7/13

Lee

4 Br III Submitted Dasu 12/7

5. Submitted for orders—

14/7/13.

H. S. M. Rao Reference note 15/7

6. Submitted with a note.

21/7/13

N. B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—85,000—21-4-09

G. R. S. 12]

General and Revenue Secretariat.

Cor46 File No. 67 of 1913-16

Serial No.

7 According to Section 16 of the Instrument of Transfer, plenary criminal jurisdiction over European British subjects is vested in the Governor General in Council and His Highness the Maharaja shall exercise such jurisdiction in respect to European British subjects as may from time to time delegated by the Governor General in Council.

Consequently all the provisions relating to European British subjects in the British Indian Criminal Procedure Code have been omitted in the Mysore Code and in Section 1, Sub Section 2 of the latter, it has been enacted that "nor shall anything herein contained be deemed to confer any jurisdiction in proceedings against European British subjects".

8 In the trial of European British subjects in Mysore, the Governor General in Council, has, in exercise of the powers conferred by Section 6 of Act XXI of 1879 - the Foreign jurisdiction & Extradition Act - appointed from time to time the following gentlemen to be Justices of the Peace: —

1) The Resident in Mysore for the time being, being a European British subject -

NOTE—Contn. sheet.

GIPE—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

Courts File No. 69 of 1913-14

Serial No.

2) The chief judge of Mysore for the time being, being a European British Subject.

3) The District Magistrate of the Civil & Military Station, Bangalore, being a European British Subject.

and several others by name, Viz:—

1) Lt Col A.C. Hay
2) " J.G. Clarke
3) " R.A. Cole
4) " C.J. Pearse
5) Major Maltby
6) Mr L. Ricketts
7) Mr G.F. Meiklejohn
8) Mr W.J. Cunningham
9) Col J.A. Campbell
10) Col Macintire
11) Mr C. Cress
12) Mr H.H. Sparkes
13) Mr F.C.C. Carr
14) Mr R.B. Plummer
15) Mr Hume Wright
16) Mr G.P. Dunning
17) Mr. Wetherall
18) Mr P.F. Bowring

7 Of these, the existing justices of the Peace are:— (1) Mr R.B. Plummer, (2) Mr P.R.W. Wetherall & (3) Mr P.F. Bowring

As these justices of the Peace were appointed justices of the Peace within the Mysore state, it must be deemed that they have concurrent jurisdiction. The Mysore Govt cannot define or restrict their jurisdiction. The Inspector General of Police has however been recently asked to issue instructions to the Police

NOTE—Contn. sheet.

G1E—65,000—17-6-12.

[G. R. S. 12]

General and Revenue Secretariat.

Courts File No. 69 of 191 3-14

Serial No.

that charge sheets against European British subjects should be placed before the nearest justice of the Peace, if no such instruction had already been issued.

11 The no of justice of the Peace in 1881 was 10, the no reduced to 7 ~~in 1892~~ between the years 1892 to 1896, and since 1908, the no was 5. The present ~~figure~~ no is only 3.

12 Since 1891, there ~~was~~ has always been a European justice of the Peace in the Kolar Gold Fields.

13 There is no objection to Mr Pritchard being made a justice of the Peace, as Mr Dunning who was a Supt of Police was invested with the powers of a J. P. Mr Pritchard has passed the Criminal Higher Examination. Opportunity may also be taken to make Mr Wallace, Judge, Chief Court as a justice of the Peace.

14 If approved a draft letter to the Residency will be put up.

SW 31/7/13 (Dy Secy) SOL 31/7

NOTE—Contn. sheet.

GPE—65,000—17-6-12.

(G. R. S. 12)

General and Revenue Secretariat.

Courts File No. 69 of 1913-14

Serial No.

15) The Note required by the Diwan as per slip put up.

Sr Counsellor & Diwan

Dewigarlar 31/7

16) Mr. Justice Wallace, Mr. Pritchard, & Mr. Campbell (after his return from leave) deserve to be made Justices of the Peace in the State in addition to the three who have.

17) Mr. Tait, I believe is a Barrister-at-law but I suppose his law can't pass muster for this purpose.

4397/5813

3/8/13

Dewan 4/8

SPL

18) Mr Wallace, Mr Pritchard & Mr Tait deserve eligible - These gentlemen may be consulted D.O. & if they are agreeable, a draft letter to the Residency supporting their appointment may be put up together with a sanad with a view to this disposal.

Note—Contn. sheet.

19.8.13. RG

GIPE—65,000—17-6-12.

Dewan 21/8

Draft accepted SPL 21/8

General and Revenue Secretariat.

65 File No. 69 of 1913-14

Serial No.

1/10. A

1) A draft d.o. to Messrs Wallace, Pritchard & Tait connecting them in the matter is putup. After receipt of replies from them, draft to the Residency will be subd.

Kg.-129
21/8/13 NM

Dr Secy) Spdt 22/8

2) My draft as revised Drwr 22/8

3) My draft subd.

Kg.-129
23.8.13 NM

Dr Secy) Spdt 23/8

1st Camadeo) 2nd With reference to paras 6 to 8. Drwr & Class 25/8

4) I am not ~~sure~~ sure if my mistake in my note ('Can pass muster' when I meant 'Cannot pass muster' about Mr. Tait was responsible for the direction of the Dewan. I am sorry for the error. On the whole, I am inclined to think that Mr. Tait had better be left out.

5) Nothing is said about

NOTE—Contn. sheet.

GPT—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

File No. 69 of 1913-14

Serial No.	
	Mr. Campbell. 26) Issue D.O. letters to Messrs Wallace & Pritchard & submit file again to Dewan. 27/8/13 Dewan 28/8.
2	To E. H. Wallace Esq, Judge, Chief Court E. M. Pritchard Esq, Spl Supdt of Police No J 767-8 dt 1.9.13 States that it is proposed to appoint him a J.P. in Mysore and enquire if he has any objection to a recommendation being made to that effect
3	From E.H. Wallace Esq D.O. No dt 1.9.13 States with refce to his above that he has no objection to a recommendation being made as proposed. 27) The file has to be subd to the Dewan as per para 26. R.T.O.

NOTE—Contn. sheet.

GPE—65,000—17-6-12.

General and Revenue Secretariat.

Cb File No. 69 of 1913-14

Serial No.	
	28) The Residency communication regarding the appointment of Mr E.H. Wallace as a Justice of the Peace remains unanswered pending receipt of a reply from Mr Pritchard. That file is linked to this Dand. KG.-129 5/9/13
	29) An ad interim reply from Mr Pritchard asking to give till the 5th inst for giving a definite reply to the Residency is also putup. KG.-129 5/9/13
	30) Resubmitted to the Diwan as per para 26, 1st Communication Note - with reference to para 28 of the 1st Communication Note. Dr Cecil 6/9 Diwan 6/9
	Diwan) 3) I agree with the 1st Communication - Mr Pritchard's name need not be included. 9.9.13 RC
	Mrs Wolfe 10/9
	32) Draft to Resy. 10/9
	P.T.O.

NOTE—Contn. sheet.

R. S. 12]

General and Revenue Secretariat.

File No. 69 of 1913-14

Serial No.	
1	From Mr Sidney M Pritchard Do. dy 5.9.13 States that he has no objection to a recommendation being made to appoint him as a Justice of the Peace and points out that in cases like thefts of amalgam by European millmen he has to take part as a Police officer and hence cannot try them.
2	Subo. The connected file containing the reply of Mr Wallace to a similar proposal was subd to the Dewan today. Rq.-129 8/9/13 NM Dr Secy) SPL 9/9 Dy Secy 9/9.13 1st Counsellor / Dewan) 10/9/13 11/9
3 4	Draft to the A. A. Resident is subd as directed in paras 1 & 2. Rq.-116 12/9/13 NM 13 Dr Secy) SPL 13/9 Dy Secy 13/9 SPL 1st Counsellor)
5	Draft appd: by 1st Councillor MS 16.9.13 GPB—65,000—17-6-12. 18/9 Dy 18/9

NOTE—Contn. sheet.

[R. S. 12]

General and Revenue Secretariat.

Ch File No. 69 of 1913

Serial No.	
	53/8 19.9.13. Dewan) Spl 19/9
	36 [illegible]
	37 Issue Spl 2/10
5	To the H. A. Resident No 289 dt 18. 10. 13
	States in reply to it that there is no objection to the proposed appointment of Mr E. H. Wallace as a Justice of the Peace and suggests that Mr S. M. Pritchard also may, if there be no objection, be recommended for appointment as a J.P.
6	From the same officer No 7234 dt 21-11-13
	Forwards a copy of the notification issued by the Govt of India appointing messrs Wallace & Pritchard as JsP within the State of Mysore.
	38 Submitted a draft republishing the notification of the Govt of India.

NOTE—Contn. sheet.

HS.-116 25/11/13

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

Court File No. 69 of 1913-14.

Serial No.	
	39 for information before issue Dr Secy) Draft 25/11 Sd 28/11 40 Issue Sd 29/11
7	To The Compiler, Mysore Gazette. Nov 1583 Dt 26.11.13 Republishes the Govt of India notification.

Mysore Gazette Part I Dt 27.11.13 page 1132

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

1/2

Re appointment as J.P.

[R. S. 26] 29/8
Nov 1V

Diary No. of letter replied to

File No. 69[illegible]

Serial No. 2

Jcy draft

No. J 767-68

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 1-9-13

Signed by Work Reserve Inspector

To

Dear Sir,

It is proposed to appoint you a Justice of the Peace in the Territories of Mysore. I am desired to request you ~~therefore~~, to kindly intimate if you have any objection to a recommendation being made to that effect.

The favour of a very early reply is requested.

Yrs Sincerely

Secy
29/8 Sd

over.

To

1) E. H. Wallace Esq M.A., I.C.S.
Judge, Chief Court

2) S. M. Pitcher Esq
Spl Supto of Police
K. G. F.

3) J. G. Tait Esq M.A.
Principal, Central College

SUBJECT.

Hy.-129 NRL
23/8/13

To be left out for the time being as ordered by the Committee on 23/8/13

EDD Nov 2018

Copy 29/8 2018

2

B iii
2/9 Dec 16
2/9
(SH)

J 812

1/9/13

Dear Sir

In reply to your
D.O. No J.766 of todays date,
I wish to say that I have no
objection to a recommendation
being made to appoint me
a Justice of the Peace for the

2

Tuticorin 9 Dupore.

Yours sincerely

E. A. Wallace.

3

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

B III W 4/9 9 Dec 99 J 837 cdt 5/9

OORGAUM,
2nd September 1913.

Dear Sir,

With reference to your letter No. J.767 of the 1st inst. I beg that I may be given till Friday the 5th inst. to give you a definite reply.

My reasons are, not that I would not do anything you wish, but that I may, carefully, go into the matter so as to ascertain if there are any difficulties in the matter of exercising the powers of a J.P. if I still continue to work in the Police Department as is my earnest wish.

I beg to remain,
Dear Sir,
yours truly,

M. Visvesvaraya

To,

M. Visvesvaraya Esq., B.A., L.C.E., M.Inst.C.E., C.I.E.
Dewan of Mysore.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—14-7-13

4

P iii 79 Bundle 819

J 852

CS 69-13-4

OORGAUM,
5th September 1913.

Dear Sir,

In continuation of my letter of the 2nd inst. which I regret I sent to the Dewan direct by mistake as I have not had a letter from the Secretariat before this, Mr Bowring pointing out my error to me, I beg to state that, after deep consideration, I have no objection to a recommendation being made to appoint me a Justice of the Peace for the Territories of Mysore & consider it a high honour that my name should be considered in this connection.

At the same time I would like to point out that it is a part of my duty to personally act as a Police Officer in exceptional cases, such as thefts of amalgam by European millmen, & these cases would have to be tried by some other officer who is a J.P.

With the above exception I could, if necessary, dispose of all cases not cognizable by the police as well as other police cases.

yours truly,

K.R.Srinavasa Iyengar Esq.,M.A.
Secretary, General & Revenue Departments.

Re appointment of messrs Wallace & Pritchard as Justices of the Peace

G. R. S. 26]

3/10

5 ab

Ct File No. 69 [redacted]

Serial No. 5

Diary No. of letter replied to .....

Pol No 269.

General and Revenue Secretariat

( )

, *the* 191 .

To

The H. A. Resident

Date of issue 18. 10. 13.

Signed by Mr K. R. Srinivasaiyar.

Sir,

Adverting to your letter no. 4837 of the 13th Aug 1913, enquiring if there is any objection to a recommendation being made with a view to appointment of Mr E. H. Wallace ~~being appointed~~ as a Justice of the Peace, I am directed to state that the Durbar have no objection to the proposal.

In this connection, I am

P.T. over.

SUBJECT.

I think there is no objection 6

to Suggest that Mr S.M. Pritchard,
Special Supdt. of Police, Kolar
Gold Fields, may also be recom-
-mended for ~~being~~ appointment as a
Justice of the Peace.

I have te

30.9.13
KC

SPK Secy to Govt Revenue 1579

H.S. -126
12.9.13 WRH
-13

16/9/13

List of enclosures,

Copied by WSA/10

Examined by

GPB—25,000—8-8-11.

7

No. 3580-I.B.

Government of India.

F O R E I G N D E P A R T M E N T.

Simla, the 11th November 1913.

N o t i f i c a t i o n.

J. 1550

13-14
P5-
6 9 0 1913
6

In exercise of the powers conferred by the Indian(Foreign Jurisdiction) Order in Council, 1902 and of all other powers enabling him in that behalf the Governor General in Council is pleased to appoint Mr. E.H. Wallace, I.C.S., a Judge of the Chief Court of Mysore, and Mr. S.M. Pritchard, Special Superintendent of Police, Kolar Gold Fields, being European British subjects, to be Justices of the Peace within the State of -- Mysore.

Sd/- J.B. Wood,

Offg. Secy. to the Govt. of India.

Pol & No 8462 J1550

21. 11. 1913.

Mysore Resident's Office,

Bangalore, the 21st November 1913

No. 7234.

A copy of the foregoing notification is forwarded herewith to the Government of His Highness the Maharaja of Mysore, for information, with reference to Mr. Srinivasiengar's letter No. 289 Pol., dated the 18th October 1913.

First Assistant Resident.

11/2

Reptg Govt of India notfn appointing Messrs Wallace & Pritchard as Justices of the Peace

G. R. S. 26]

File No. 6924-1913

Serial No. 7

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *191* .

Date of issue 26/11/13

Signed by Mr S.C. Rajagopalachari

ab Notification

J 1583.

~~To~~

The following notification No 3580-I.B., dd 16th & 11th Nov 1913, issued by the Govt of India, Foreign Department, is re-published :-

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to appoint Mr E. H. Wallace, I.C.S., a Judge of

Please turn over.

Published in Part I Supplement Gazette of 27.11.13 (page 1132)

SUBJECT.

9

the ~~Chief~~ Court of Mysore, and

Mr S. M. Pritchard, Special Superintendent of Police, Kolar Gold Fields, being European British Subjects, to be Justices of the Peace within the State of Mysore."

By order

for Secy to Govt

To The Compiler, Mysore Gazette.

HQ. -116

25/4/13

List of enclosures.

Copied by HR 26/11/13

~~*Examined*~~ *by* D.A.C.

GPB—25,000—8-8-11.